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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

STARDOCK SYSTEMS, INC.,

Plaintiff,

vs.

PAUL REICHE III and ROBERT  
FREDERICK FORD,

Defendants.

Case No.: 4:17-cv-07025-SBA

**DECLARATION OF DEANNA R. KUNZE IN  
SUPPORT OF STARDOCK SYSTEMS AND  
VALVE CORPORATION'S NOTICE OF  
MOTION AND MOTION FOR A  
PROTECTIVE ORDER IN THE FORM OF A  
STAY OF PARTY DEPOSITIONS FOR 60  
DAYS; TO MODIFY THE SCHEDULING  
ORDER; AND FOR A CASE MANAGEMENT  
CONFERENCE**

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DECLARATION OF DEANNA R. KUNZE ISO  
MOTION FOR A PROTECTIVE ORDER IN THE FORM OF A STAY OF PARTY DEPOSITIONS; REQUEST  
FOR A MODIFIED SCHEDULING ORDER; REQUEST FOR A STATUS CONFERENCE  
Case No. 17-cv-07025-SBA

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AND RELATED COUNTERCLAIM  
AND CROSS-CLAIMS

I, Deanna R. Kunze, declare:

1. I am a Partner at Nixon Peabody LLP, counsel of record for plaintiff Stardock Systems, Inc. (“Stardock”) and cross-defendant Valve Corporation (collectively “Moving Parties”). I make this declaration in support of Stardock and Valve Corporation’s Notice of Motion and Motion for a Protective Order in the Form of a Stay of Party Depositions for 60 Days; To Modify the Scheduling Order; and for a Status Conference. Unless otherwise noted, I have personal knowledge of the following and, if called upon to do so, would and could testify competently to the same in a court of law.

2. Depositions in this action commenced on January 8, 2019, with the depositions of Valve Corporation and Kevin Unangst in Seattle, Washington. Shortly before depositions began, however, counsel for Defendants contacted counsel for Stardock and Valve regarding alleged discovery deficiencies. In response, Stardock and Valve attempted to remedy any reasonable requests before the depositions began. However, after depositions began, it became clear that counsel for Defendants was focused on identifying alleged discovery deficiencies, instead of substantive issues related to the case.

3. Over the course of the next few weeks, three depositions were held, each of which lasted longer than the 7 hours permitted under the FRCP. In all of these depositions, counsel for Stardock and Valve attempted to resolve any reasonable request, including asking counsel for Defendants/Counter-Plaintiffs to identify potential issues before depositions commenced with counsel, per the discovery dispute process identified by this Court.

4. However, in subsequent depositions, Defendants’ counsel continued to use deposition time on the record to challenge the adequacy of Stardock’s production. After the deposition of Derek Paxton in Ann Arbor, Michigan on January 23, 2019, it became clear that

1 Defendants/Counter-Plaintiffs sought “scorched-earth” type discovery from the opposing parties.  
2 The day after the Paxton deposition, the GOG Parties requested that other scheduled depositions  
3 be re-set for at least two (2) weeks to allow them to more meaningfully participate and all parties  
4 agreed to re-set those depositions for the week of February 11, 2019, in Ann Arbor, Michigan.

5 I declare under penalty of perjury under the laws of the United States and the State of  
6 California that the foregoing is true and correct.

7 Executed this 6th day of February 2019 in Chicago, Illinois.

8  
9 /s/ Deanna R. Kunze

Deanna R. Kunze